

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN JESSE LASLOVICH**, on February 13, 2007
at 8:00 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Jesse Laslovich, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Larry Jent (D)
Sen. Carol C. Juneau (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Jerry O'Neil (R)
Sen. Gerald Pease (D)
Sen. Gary L. Perry (R)
Sen. Jim Shockley (R)
Sen. David E. Wanzonried (D)

Members Excused:

Sen. Carol Williams (D)

Members Absent: None.

Staff Present: Carol Andersen, Committee Secretary
Valencia Lane, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 377, 2/7/2007; SB 357, 2/7/2007;
SB 363, 2/7/2007; SB 347, 2/7/2007;
SB 383, 2/7/2007
Executive Action: SB 109; Create Committee Bill on
Sexual Offenders

HEARING ON SB 377

Opening Statement by Sponsor:

00:01:35 SEN. VERDELL JACKSON (R), SD 5, opened the hearing on SB 377, Challenge of certain water rights during adjudication.

EXHIBIT(jus32a01)

Proponents:

00:17:49 John Bloomquist, Montana Stockgrowers Association

00:22:51 Tim Ravndal, Montana Water Users Association

00:24:33 Megan Brower, Montana Farm Bureau

Opponents:

00:25:11 Blair Strong, Avista Corporation

EXHIBIT(jus32a02)

00:35:56 Holly Franz, PPL Montana

00:41:44 Mike Murphy, Montana Water Users Association

00:43:16 Mark Aagenes, Montana Trout Unlimited

Informational Testimony: None.

Questions from Committee Members and Responses:

00:44:11 Sen. O'Neil to Mike Murphy

00:47:29 Sen. McGee to Blair Strong

00:53:47 Sen. O'Neil to Blair Strong

00:55:19 Sen. Perry to Blair Strong

00:56:46 Sen. Juneau to Holly Franz

Closing by Sponsor:

00:58:33 Sen. Jackson

HEARING ON SB 357

Opening Statement by Sponsor:

01:06:58 SEN. LANE LARSON (D), SD 22, opened the hearing on SB 357, Beneficiary deed of trust.

Proponents: None.

Opponents:

01:08:05 Aimee Grmoljez, Montana Bankers Association

Informational Testimony:

01:10:09 Jeff Buska, Department of Public Health and Human Services

Questions from Committee Members and Responses:

01:11:58 Sen. Shockley to Aimee Grmoljez

01:12:33 Sen. Shockley to Jeff Buska

01:18:30 Sen. Perry to Aimee Grmoljez

Closing by Sponsor:

01:20:27 Sen. Larson

HEARING ON SB 363

Opening Statement by Sponsor:

01:20:55 SEN. CHRISTINE KAUFMANN (D), SD 41, opened the hearing on SB 363, Revise eminent domain law.

Proponents:

01:25:01 Michael Kakuk, Association of Realtors

01:26:18 Janet Ellis, Montana Audubon Association

EXHIBIT(jus32a03)

01:27:32 Alec Hanson, Montana League of Cities and Towns

01:30:08 Al Smith, Montana Trial Layers Association

01:30:46 Mark Aagenes, Montana Trout Unlimited

01:31:45 Tim Ravndal, Montana Water Users Association

01:33:49 Tim Davis, Montana Stockgrowers Association

01:34:45 Anne Hedges, Montana Informational Center (MEIC)

01:35:03 Sarah Cobler, Montana Conservation Voters

01:36:01 Megan Brower, Montana Farm Bureau

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:37:47 Sen. McGee to Sen. Kaufmann

01:43:29 Sen. McGee to Michael Kakuk

Closing by Sponsor:

01:45:54 Sen. Kaufmann

01:48:16 Break

02:07:44 Resume

HEARING ON SB 347

Opening Statement by Sponsor:

02:08:03 **SEN. JIM SHOCKLEY (R), SD 45**, opened the hearing on **SB 347**, Conservation easement enforcement.

EXHIBIT(jus32a04)

Proponents:

02:11:16 Pam Bucy, Assistant Attorney General, Department of
Justice (DOJ)

02:12:38 Glenn Marx, Executive Director, Montana Land Trust
Association

02:15:27 John Bloomquist, Montana Stockgrowers Association

Opponents: None

Informational Testimony:

02:19:30 Michael Harris, Conservation for Gallatin County

02:23:31 Sen. McGee

02:27:07 Jay Erickson, Management Director, Montana Land
Alliance

Questions from Committee Members and Responses:

02:28:43 Sen. Moss to Jay Erickson

02:32:01 Sen. Moss to Glenn Marx

Closing by Sponsor:

02:33:08 Sen. Shockley

02:35:54 Chair Relinquished to Sen. McGee

HEARING ON SB 383

Opening Statement by Sponsor:

02:36:11 **SEN. JESSE LASLOVICH (D), SD 43**, opened the hearing on
SB 383, Revise property laws.

EXHIBIT(jus32a05)

Proponents:

02:47:21 Chuck Willey, Lawyer, State Bar of Montana

EXHIBIT(jus32a06)

02:56:38 Aimee Grmoljez, Montana Bankers Association

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

02:58:17 Sen. McGee to Sen. Laslovich

Closing by Sponsor:

03:00:35 Sen. Laslovich

03:01:31 Chair resumed by Sen. Laslovich

EXECUTIVE ACTION ON SB 109

03:02:11 **Motion:** SEN. SHOCKLEY moved to RECONSIDER THE MOTION on SB 109.

Discussion:

EXHIBIT(jus32a07)

03:07:26 Sen. Laslovich

03:07:59 Sen. Shockley

03:09:07 Sen. O'Neil

03:09:07 **Motion/Vote:** SEN. WILLIAMS CALLED THE QUESTION ON SB 109. Motion failed 3-9 by roll call vote with SEN. SHOCKLEY, SEN. CURTISS, and SEN. O'NEIL voting aye.

EXECUTIVE ACTION TO CREATE SEXUAL OFFENDER COMMITTEE BILL

Discussion:

03:10:04 Sen. Laslovich

03:14:04 **Motion:** SEN. LASLOVICH moved TO CREATE A COMMITTEE BILL ON SEXUAL OFFENDERS BE ADOPTED with SEN. PERRY AS SPONSOR.

Discussion:

03:14:28 Sen. Jent

03:14:53 Sen. McGee

03:15:11 Sen. Laslovich

03:15:49 Sen. Shockley

03:16:14 Sen. Moss

EXHIBIT(jus32a08)

03:16:52 Valencia Lane, LSD

03:17:49 **Motion/Vote:** SEN. WANZENRIED CALLED THE QUESTION ON SEXUAL OFFENDER BILL. Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 11:20 A.M.

SEN. JESSE LASLOVICH, Chairman

CAROL ANDERSEN, Secretary

JL/ca

Additional Exhibits:

EXHIBIT ([jus32aad.pdf](#))